

§ 18.26

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§113.63 of this chapter, shall be required. (See also §158.45 of this chapter.)

(c) If the merchandise has been landed or is transferred from one vessel to another and has not been entered for consumption or, in the case of goods entered for consumption and rejected, such export declaration as required by §30.3(a)(2) of the Foreign Trade Statistics Regulations (15 CFR 30.3(a)(2)) shall be filed.

(d) If the merchandise is exported in the importing vessel without landing, a representative of the exporting carrier who has knowledge of the facts shall certify that the merchandise entered for exportation was not discharged during the vessel's stay in port. A charge shall be made against the continuous bond on Customs Form 301, containing the bond conditions set forth in §113.64 of this chapter, if on file, or if a continuous bond is not on file, a single entry bond containing the bond conditions set forth in §113.64 shall be required as in the case of residue cargo for foreign ports. If the merchandise is covered by a TIR carnet, the carnet shall not be taken on charge (see §114.22(c)(2) of this chapter).

(e) The principal on any bond filed to guarantee direct exportation shall cause the merchandise to be exported and provide such evidence of exportation as required by the port director under §113.55 of this chapter within 30 days of exportation.

(f) Gunpowder and other explosive substances, the deposit of which in any public store or bonded warehouse is prohibited by law, may be entered on arrival from a foreign port for immediate exportation in bond by sea, but shall be transferred directly from the importing to the exporting vessel.

[28 FR 14755, Dec. 31, 1963, as amended by T.D. 68-299, 33 FR 18437, Dec. 12, 1968; T.D. 71-70, 36 FR 4489, Mar. 6, 1971; T.D. 72-258, 37 FR 20174, Sept. 27, 1972; T.D. 73-135 38 FR 13369, May 21, 1973; T.D. 82-116, 47 FR 27262, June 24, 1982; T.D. 84-213, 49 FR 41168, Oct. 19, 1984; T.D. 98-74, 63 FR 51288, Sept. 25, 1998]

§ 18.26 Indirect exportation.

(a) When merchandise of the character enumerated in §18.25(d) is to be transported in bond to another port for exportation, it may be entered for

transportation and exportation in accordance with the procedure in §18.20. Upon acceptance of the entry by Customs and acceptance of the merchandise by the bonded carrier, the bonded carrier assumes liability for the transportation and exportation of the merchandise. In the case of merchandise prohibited entry by any Government agency, that fact shall be prominently noted on Customs Form 7512 for the information of the director of the port of exportation. If the merchandise was imported under cover of a TIR carnet, the carnet shall be discharged or canceled at the port of importation and the merchandise transported under an entry on Customs Form 7512 (see §18.25). If merchandise has been imported under cover of an A.T.A. carnet to be transported in bond to another port for exportation, the appropriate transit voucher shall be accepted in lieu of Customs Forms 7512. One transit voucher shall be certified by Customs officers at the port of importation and a second transit voucher, together with the reexportation voucher, shall be certified at the port of exportation.

(b) The merchandise shall be forwarded in accordance with the general provisions for transportation in bond, §§18.1 through 18.8.

(c) If the merchandise is to be transferred after arrival at the selected port of exportation, the procedure prescribed in §18.3(d) shall be followed. The provisions of §§18.23 and 18.24 shall also be followed in applicable cases.

(d) The bonded carrier shall cause the merchandise to be exported and provide such evidence of exportation as required by the port director under §113.55 of this chapter within 30 days of exportation.

[28 FR 14755, Dec. 31, 1963, as amended by T.D. 71-70, 36 FR 4489, Mar. 6, 1971; T.D. 82-116, 47 FR 27262, June 24, 1982; T.D. 84-213, 49 FR 41169, Oct. 19, 1984]

§ 18.27 Port marks.

Port marks may be added by authority of the port director and under the supervision of a Customs officer. The original marks and the port marks shall appear in all papers pertaining to the exportation.

MERCHANDISE TRANSPORTED BY
PIPELINE**§ 18.31 Pipeline transportation of bonded merchandise.**

(a) *General.* Merchandise may be transported by pipeline under the procedures in this part, as appropriate and unless otherwise specifically provided for in this section.

(b) *Bill of lading to account for merchandise.* Unless Customs has reasonable cause to suspect fraud, Customs shall accept a bill of lading or equivalent document of receipt issued by the pipeline operator to the shipper and accepted by the consignee to account for the quantity of merchandise transported by pipeline and to maintain the identity of the merchandise.

(c) *Procedures when pipeline is only carrier.* When a pipeline is the only carrier of bonded merchandise and there is no transfer to another carrier, the bill of lading or equivalent document of receipt issued by the pipeline operator to the shipper shall be included with, and made a part of, the Customs in-bond document (see § 18.2(b)). If there are no discrepancies between the bill of lading or equivalent document of receipt and the other documents making up the in-bond manifest for the merchandise, and provided that Customs has no reasonable cause to suspect fraud, the bill of lading or equivalent document of receipt shall be accepted by Customs at the port of destination or exportation (see §§ 18.2(d) and 18.7) as establishing the quantity and identity of the merchandise transported. The pipeline operator shall be responsible for any discrepancies, including shortages, irregular deliveries, or nondeliveries at the port of destination or exportation (see § 18.8).

(d) *Procedures when there is more than one carrier (i.e., transfer of the merchandise)*—(1) *Pipeline as initial carrier.* When a pipeline is the initial carrier of bonded merchandise and the merchandise is transferred to another conveyance (either a different mode of transportation or a pipeline operated by another operator), the procedures in § 18.3 and paragraph (c) of this section shall be followed, except that—

(i) When the merchandise is to be transferred to one conveyance, a copy

of the bill of lading or equivalent document issued by the pipeline operator to the shipper shall be delivered to the person in charge of the conveyance for delivery, along with the in-bond document, to the appropriate Customs official at the port of destination or exportation; or

(ii) When the merchandise is to be transferred to more than one conveyance, a copy of the bill of lading or equivalent document issued by the pipeline operator to the shipper shall be delivered to the person in charge of each additional conveyance, along with the two additional copies of the in-bond document, for delivery to the appropriate Customs official at the port of destination or exportation.

(2) *Transfer to pipeline from initial carrier other than a pipeline.* When bonded merchandise initially transported by a carrier other than a pipeline is transferred to a pipeline, the procedures in § 18.3 and paragraph (c) of this section shall be followed, except that the bill of lading or other equivalent document of receipt issued by the pipeline operator to the shipper shall be delivered, along with the in-bond document, to the appropriate Customs officer at the port of destination or exportation.

(3) *Initial carrier liable for discrepancies.* In the case of either paragraph (d)(1) or (d)(2) of this section, the initial carrier shall be responsible for any discrepancies, including shortages, irregular deliveries, or nondeliveries, at the port of destination or exportation (see § 18.8).

(e) *Recordkeeping.* The shipper, pipeline operator, and consignee are subject to the recordkeeping requirements in 19 U.S.C. 1508 and 1509, as provided for in part 162 of this chapter.

[T.D. 96-18, 61 FR 6779, Feb. 22, 1996]

MERCHANDISE NOT OTHERWISE SUBJECT
TO CUSTOMS CONTROL EXPORTED
UNDER COVER OF A TIR CARNET**§ 18.41 Applicability.**

The provisions of §§ 18.41 through 18.45 apply only to merchandise to be exported under cover of a TIR carnet for the convenience of the U.S. exporter or other party in interest and do not apply to merchandise otherwise required to be transported in bond under